



**Billing Code: 4910-81-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Maritime Administration**

**[Docket Number MARAD-2018-0178]**

#### **Waiver Request for Aquaculture Support Operations for the 2019 Calendar Year: COLBY PERCE, RONJA CARRIER, SADIE JANE, MISS MILDRED 1**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** Pursuant to a delegation of authority from the Secretary of Transportation, the Maritime Administrator is authorized to issue waivers allowing documented vessels with registry endorsements or foreign flag vessels to be used in operations that treat aquaculture fish or protect aquaculture fish from disease, parasitic infestation, or other threats to their health when suitable vessels of the United States are not available that could perform those services. A request for such a waiver has been received by the Maritime Administration (MARAD). This notice is being published to solicit comments intended to assist MARAD in determining whether suitable vessels of the United States are available that could perform the required services. If no suitable U.S.-flag vessels are available, the Maritime Administrator may issue a waiver in accordance with USCG regulations on Aquaculture at 46 CFR Part 106. A brief description of the proposed aquaculture support service is listed in the **Supplementary Information** section below.

**DATES:** Submit comments on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2018-0178 by any of the following methods:

- On-line via the Federal Electronic Portal: <http://www.regulations.gov>. Search using “MARAD-2018-0178” and follow the instructions for submitting comments.
- Mail/Hand-Delivery/Courier: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Room W12-140, Washington, DC 20590. Submit comments in an unbound format, no larger than 8 1/2 by 11 inches, suitable for copying and electronic filing.

*Reference Materials and Docket Information:* You may view the complete application, including the aquaculture support technical service requirements, and all public comments at the DOT Docket on-line via <http://www.regulations.gov>. Search using “MARAD-2018-0178.” All comments received will be posted without change to the docket, including any personal information provided. The Docket Management Facility is open 9:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email [Bianca.carr@dot.gov](mailto:Bianca.carr@dot.gov).

If you have questions on viewing the Docket, call Docket Operations, telephone: (800) 647-5527.

**SUPPLEMENTARY INFORMATION:** As a result of the enactment of the Coast Guard Authorization Act of 2010, codified at 46 U.S.C. 12102, the Secretary of Transportation has the discretionary authority to issue waivers allowing documented vessels with registry endorsements or foreign flag vessels to be used in operations that treat aquaculture fish for or protect aquaculture fish from disease, parasitic infestation, or other threats to their health when suitable vessels of the United States are not available that could perform those services. The Secretary

has delegated this authority to the Maritime Administrator. Pursuant to this authority, MARAD is providing notice of the service requirements proposed by Cooke Aquaculture (Cooke) in order to make a U.S.-flag vessel availability determination. Specifics can be found in Cooke's application letter posted in the docket.

To comply with USCG Aquaculture Support regulations at 46 CFR part 106, Cooke is seeking a MARAD Aquaculture Waiver to operate the vessels, COLBY PERCE, RONJA CARRIER, SADIE JANE, and the MISS MILDRED 1 as follows:

INTENDED COMMERCIAL USE OF VESSEL: "to use highly-specialized foreign-flag vessels referred to as a "wellboat" (or "live fish carrier") to treat Cooke's swimming inventory of farmed Atlantic salmon in the company's salt-water grow-out pens off Maine's North Atlantic Coast. This treatment prevents against parasitic infestation by sea lice that is highly destructive to the salmon's health."

GEOGRAPHIC REGION: "off Maine's North Atlantic Coast"

REQUESTED TIME PERIOD: "2019 calendar year, from January 1, 2019 to December 31, 2019"

Interested parties may submit comments providing detailed information relating to the availability of U.S.-flag vessels to perform the required aquaculture support services. If MARAD determines, in accordance with 46 U.S.C. 12102(d)(1) and MARAD's regulations at 46 CFR part 388, that suitable U.S.-flag vessels are available to perform the required services, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria set forth in 46 CFR section 388.4.

## Privacy Act

In accordance with 5 U.S.C. 553(c), MARAD solicits comments from the public to inform its process to determine the availability of suitable vessels. DOT posts these comments, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(w))

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Dated: December 3, 2018.

By Order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.,**

*Secretary,*

*Maritime Administration.*

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